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FEDERAL ELECTION
COMMISSION

2013 MAY -9 PM 4: 36

BEFORE THE FEDERAL ELECTION COMMISSION

CELA

In the Matter of)
) MUR 6081
American Issues Project, Inc.; Ed Martin;)
Ed Failor Jr.; Harold Simmons)

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on May 07, 2013, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to:

- a. Find reason to believe that American Issues Project, Inc. violated 2 U.S.C. §§ 432, 433, and 434.
- b. Find no reason to believe that American Issues Project, Inc. violated 2 U.S.C. § 441a(f).
- c. Dismiss the allegation that American Issues Project, Inc. violated 2 U.S.C. § 434(c) and 11 C.F.R. § 109.10(c).
- d. Find no reason to believe that Harold Simmons violated 2 U.S.C. § 441a(a)(1)(C) & (a)(3).
- e. Find no reason to believe that Ed Martin and Ed Failor Jr. violated the Act.
- f. ~~Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated March 12, 2013.~~
- g. Enter into pre-probable cause conciliation with American Issues Project, Inc.
- h.

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- i. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

2. Decided by a vote of 4-1 to:

- a. Find no reason to believe that Harold Simmons violated 2 U.S.C. § 441a(a)(1)(C) & (a)(3).
- b. Find no reason to believe that Ed Martin and Ed Failor Jr. violated the Act.
- c. Approve the appropriate letters.
- d. Close the file.

Commissioners Hunter, McGahn II, Petersen, and Weintraub voted affirmatively for the decision. Commissioner Walther dissented.

Attest:

May 9, 2013
Date

Shelley E. Garr
Shelley E. Garr
Deputy Secretary of the Commission

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